

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

JOHN RE,

Defendant.

x

:

:

:

:

:

x

CONSENT PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT

14 Cr. 550 (PKC)

WHEREAS, on or about August 18, 2014, JOHN RE (the "defendant"), was charged in a one-count Indictment, 14 Cr. 550 (PKC) (the "Indictment"), with wire fraud, in violation of 18 U.S.C. §§ 1343 and 2 (Count One);

WHEREAS, the Indictment included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), of any and all property constituting, or derived from, proceeds obtained directly or indirectly as a result of the offense charged in Count One, including but not limited to a sum of United States currency representing the amount of proceeds obtained as a result of the offense charged in Count One of the Indictment;

WHEREAS, on or about December 1, 2014, the defendant pled guilty to Count One of the Indictment and admitted the forfeiture allegation, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture

allegation with respect to Count One of the Indictment and

agreed to forfeit a sum of money equal to \$2,500,000 in United States currency, representing the amount of proceeds obtained directly or indirectly as a result of the offense charged in Count One; and

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$2,500,000 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Indictment;

IT IS HEREBY STIPULATED AND AGREED, by and between the plaintiff, United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Andrew C. Adams, of counsel, and the defendant, and his counsel, Annalisa Miron, Esq. that:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$2,500,000 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Any specific property/ies forfeited to the United States from JOHN RE shall be credited toward the Money Judgment, in partial satisfaction thereof.

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary

Order of Forfeiture/Money Judgment, this Consent Preliminary

Order of Forfeiture/Money Judgment is final as to the defendant, JOHN RE, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

4. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

5. Upon execution of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund ("AFF"), and the United States shall have clear title to such forfeited property.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to

identify, locate or dispose of forfeitable property, including
depositions, interrogatories, requests for production of
documents and the issuance of subpoenas, pursuant to Rule 45 of
the Federal Rules of Civil Procedure.

7. The Court shall retain jurisdiction to enforce
this Consent Preliminary Order of Forfeiture/Money Judgment, and
to amend it as necessary, pursuant to Rule 32.2 of the Federal
Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three
certified copies of this Consent Preliminary Order of
Forfeiture/Money Judgment to Assistant United States Attorney
Andrew C. Adams, Money Laundering and Asset Forfeiture Unit,
United States Attorney's Office, One St. Andrew's Plaza, New
York, New York 10007.

[CONTINUED ON FOLLOWING PAGE]

9. The signature page of this Consent Preliminary

Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

PREET BHARARA
United States Attorney for the
Southern District of New York

By: 

ANDREW C. ADAMS
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2340

12/1/14
DATE

JOHN RE

By: 

JOHN RE


12/1/14
DATE

By: 

ANNALISA MIRON, ESQ.
Attorney for Defendant
Federal Defenders of New York
52 Duane Street
New York, NY 10007

12/1/14
DATE

SO ORDERED:


HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE

5-12-18
DATE